

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

410-009-0

In Re Application Of:

NORBERT BUSCH ET AL

Serial Number: 015,752

Filed: February 27, 1979

Or: AN ETHER OF N-PROPANOL
MINE

Group Art Unit 122

Examiner: TOVAR



RESPONSE

HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D. C. 20231

Sir:

In further response to the Official Action mailed November 6, 1979, reconsideration is respectfully requested in view of the following remarks:

STATEMENT UNDER 37 CFR 1.116

Entry of the Supplemental Declaration and Power of Attorney is proper under the provisions of 37 CFR 1.116(a) with respect to compliance with requirements as to form.

Entry of the Declaration Under 37 CFR 1.132 and the Response is appropriate for the following reasons:

1. Applicants' present attorneys have only taken over the prosecution of this application subsequent to the final rejection.
2. An unpublished decision of the Patent and Trademark Office Board of Appeals, Ex parte Marsili et al, Appeal No. 378-66, decided September 27, 1979, is dispositive of the issues raised in the Examiner's final rejection.
3. Applicants' previous attorneys would not have been aware of said unpublished Board decision and, in fact, the decision was rendered less than six weeks prior to the issuance of the final rejection.